STATE OF WASHINGTON GAMBLING COMMISSION

In the Matter of the Suspension of) NO. CR 2009-00262
the License to Conduct Gambling Activities of:)
-) NOTICE OF ADMINISTRATIVE
Dale's Tavern,) CHARGES AND OPPORTUNITY
138 E Woodin Avenue) FOR AN ADJUDICATIVE
Chelan, Washington,) PROCEEDING
Licensee.))
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The Washington State Gambling Commission issued Dale's Tavern, organization number 00-20610, the following license:

Number 05-20246, Authorizing Class "A" Punchboard/Pull-Tab Activity.

The license expires on December 31, 2009, and was issued subject to the licensee's compliance with state gambling laws and regulations.

II.

Rick Day, Director of the Washington State Gambling Commission, charges the licensee with the following violation of the Washington State Gambling Act, 9.46 RCW, and WAC Title 230:

- 1) The licensee failed to timely submit its punchboard/pull-tab activity report for the third and fourth quarters of 2009, within 30 days following the end of the reporting period. The activity report was due January 30, 2009. However, the activity report was not received until February 19, 2009. This conduct violated WAC 230-14-284(2).
- 2) Previously, the licensee entered into the following Settlement Orders to resolve administrative charges issued for failing to timely submit its punchboard/pull-tab activity reports:
 - In December 2007, the licensee agreed to a 15-day suspension and agreed to submit all future activity reports no later than 30 days following the end of the period for which it is made. (CR 2007-01419)
 - In May 2008, the licensee agreed to a 20-day suspension and agreed to submit all future activity reports no later than 30 days following the end of the period for which it is made. (CR 2008-00474)
- 3) The licensee's failure to timely submit its activity reports after entering into two Settlement Orders demonstrates the licensee's willful disregard for complying with state administrative rules.

Dale's Tavern Notice of Administrative Charges and Opportunity for an Adjudicative Proceeding Page 1 of 3

- 4) Grounds exist for the suspension of Dale's Tavern's license to conduct gambling activities, based on RCW 9.46.075(1) and WAC 230-03-085(1), (3), and (7).
- 5) It is also a violation of the May 2008 Settlement Order, and constitutes grounds to impose the three-day deferred suspension pursuant to that Settlement Order.

RCW 9.46.075(1) Suspending a license or permit

The Commission may suspend any license or permit issued by it, for any reason or reasons, it deems to be in the public interest. These reasons shall include, but not be limited to, cases wherein the applicant or licensee, or any person with any interest therein:

The following subsection(s) apply:

(1) Has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the Commission pursuant thereto, or when a violation of any provision of chapter 9.46 RCW, or any Commission rule, has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control.

WAC 230-03-085 Suspending a license or permit

We may suspend any license or permit, when the applicant, licensee, or anyone holding a substantial interest in the applicant's or licensee's business or organization:

The following subsection(s) apply:

- (1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075.
- (3) Has demonstrated willful disregard for complying with ordinances, statutes, administrative rules, or court orders, whether at the local, state, or federal level.
- (7) Fails to provide us with any information required under Commission rules within the time required.

WAC 230-14-284 Activity for punchboard and pull-tab licensees

Punchboards and pull-tab licensees must submit an activity report to the Commission. Licensees must complete the report in the format we require and must:

The following subsection(s) apply:

- (1) Cover the periods:
 - (a) January 1 through June 30; and
 - (b) July 1 through December 31; and
- (2) Be received at our administrative office or postmarked no later than thirty days following the end of the reporting period.

III

III

Jurisdiction of this proceeding is based on 9.46 RCW, Gambling, chapter 34.05 RCW, the Administrative Procedure Act, and WAC Title 230.

The licensee will have the opportunity to have a hearing on the alleged violations.

In order to have a hearing or discuss settlement options, the enclosed REQUEST FOR HEARING must be COMPLETED AND RETURNED to the Gambling Commission within 23 days from the date of the mailing of this notice.

Based on RCW 34.05.440, failure to return this document will result in the entry of a default order SUSPENDING your license for 60 days.

STATE OF WASHINGTON)
) ss
COUNTY OF THURSTON)

Rick Day, being duly sworn on oath, says: That he has read this Notice of Administrative Charges and Opportunity for an Adjudicative Proceeding regarding the licensee, Dale's Tavern, knows the contents of it, believes it to be true, that he is the Director of the Washington State Gambling Commission, and in that capacity has executed said Notice.

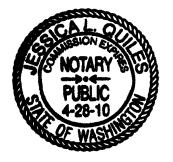
STATE OF WASHINGTON)
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hereby certify that I have this day served a copy of the document upon all parties of record in the proceeding by stalling a copy thereof, properly addressed with postage propeid, by regular and certified small to each party to the proceeding or his or her attorney or authorized agent.

Detect at Olympia, Weshington this 2 day of Narch, 2009

Communications and Legal Department
Washington State Gambling Commission

My commission expires on 428-2010



Washington residing at / hurs